

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: EpiPen Direct Purchaser Litigation

File No. 20-cv-00827 (ECT/TNL)

THIS DOCUMENT RELATES TO:

*All Direct Purchaser Actions*

**STIPULATION**

Plaintiffs Rochester Drug Co-Operative, Inc. and Dakota Drug, Inc. (collectively, “Plaintiffs”) and defendants (a) Mylan, Inc. and Mylan Specialty L.P., (b) CaremarkPCS Health, L.L.C., Caremark L.L.C., and Caremark Rx L.L.C., (c) Express Scripts, Inc., and Medco Health Solutions, Inc., and (d) OptumRx, Inc. (collectively, “Defendants”), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, Plaintiffs filed their Consolidated Class Action Complaint (“Complaint”) on August 14, 2020 (ECF No. 76);

WHEREAS, each of the Defendants moved to dismiss and on January 15, 2021 the Court issued a Memorandum and Order denying the motions to dismiss claims against the above-named Defendants (the “Order”) (ECF No. 125);

WHEREAS, pursuant to Rule 12(a)(4)(A) of the Federal Rules of Civil Procedure, Defendants’ answers are due on January 29, 2021;

WHEREAS, Defendants request an extension to file and serve answers to Plaintiffs’ Complaint, and have not previously requested an extension of that date;

NOW THEREFORE, Plaintiffs and Defendants stipulate as follows:

1. Defendants shall answer Plaintiffs' Complaint on or before March 1, 2021;  
and

2. No party will take the position that the March 1, 2021 deadline for Defendants' answers is grounds to delay the Rule 16 conference in this matter or the Rule 26(f) conference among the parties.

IT IS SO STIPULATED.

Dated: January 27, 2021

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